

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Darren Gallant,
Plaintiff

v.


Case No. 11-cv-600-SM

Jessica Gallant, Sandown
Police Department, William
Pica, Town of Sandown,
Town of Hampstead, Richard
Chambers, and Daniel Jackman,
Defendants

O R D E R

Re: (Document No. 30), Hampstead Defendants' Motion for
Summary Judgment

Ruling: Granted, for the reasons given in the defendants' memoranda in support of their motion for summary judgment and in their reply memorandum. There appears to be no genuine dispute that the Hampstead defendant police officers effected a valid arrest of plaintiff pursuant to an outstanding arrest warrant, and, although handcuffs may have been incorrectly applied in some manner that caused plaintiff some transitory discomfort for some ten minutes or so - discomfort that was completely relieved when Sandown police officers removed and reapplied the handcuffs (according to plaintiff's deposition testimony) - no medical treatment was sought or required, no permanent injury of any kind is claimed, and no evidence suggesting intentional infliction has been produced or referenced. Plaintiff has not produced or pointed to any evidence from which a jury could reasonably conclude that the Hampstead defendants either effected an unlawful arrest, or employed excessive force in arresting or detaining the plaintiff. Defendants, on the other hand, have demonstrated that there is no genuine dispute as to any material fact, and, given the undisputed material facts, they are entitled to judgment as a matter of law.


Steven J. McAuliffe
United States District Judge

Date: April 22, 2013

cc: Tony F. Soltani, Esq.
Daniel J. Mullen, Esq.
Brian J. S. Cullen, Esq.
Christine W. Casa, Esq.